

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12650, of R. Whitworth Fletcher, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the rear yard requirements (Sub-sections 3304.1 and 7615.3) to permit the conversion of an accessory building into a principal building to be used as a dwelling in the R-5-B District at the rear of the premises 1611 - 19th Street, N.W., (Square 134, Lot 144).

HEARING DATE: May 17, 1978

DECISION DATE: May 31, 1978

FINDINGS OF FACT:

1. The subject property is located on the east side of 19th Street, between Q and Corcoran Streets, N.W., and is known as 1611 - 19th Street, N.W. It is in an R-5-B District.

2. Immediately adjacent to this property on the south is a four story apartment building. North of the site along 19th Street are three and four story row dwellings, some of which appear to be converted into multiple dwellings. The west side of 19th Street between Q and Corcoran is lined with large four story row dwellings. In the vicinity of this property located just east of Connecticut Avenue, are large apartment buildings, hotels, office buildings, row dwellings and diplomatic uses.

3. The R-5-B District in which this property is located extends from Q Street northward to Florida Avenue. SP zoning is found in the eastern portion of the Square along New Hampshire Avenue. A C-3-B District is found along Connecticut Avenue and around Dupont Circle west and south of this site.

4. The subject lot is a single lot of approximately 4,000 square feet in area and is improved with a three story dwelling and two story garage or carriage house which was constructed prior to May 12, 1958. The carriage house is adjacent to a ten foot wide public alley which abuts this property at the rear. The three story building which is the principal dwelling on this property is now used as a flat. The applicant proposes to convert the second story of the carriage house into a one-bedroom apartment with garage parking below. The ten foot alley provides access to the garage parking spaces.

5. The main building on the subject lot is a semi-detached structure having one common wall with the building at 1609 - 19th Street and having a 12.5 foot side yard on its north side. There is thus direct access from the street to the carriage house without going through the main building. There are no other similar lots in this immediate area having a carriage house and a side yard.

6. The applicant proposes the theoretical subdivision of a single lot creating two principal buildings on one lot.

7. The site would be divided in such a manner that the lot for which the flat would be located would not have any rear yard. The R-5-B District requires a rear yard of fifteen feet, thus requiring a fifteen foot or 100 per cent variance.

8. The carriage house is located such that its rear wall is directly on the alley line, and no rear yard can thus be provided. A variance of fifteen feet for this theoretical lot would therefore be required.

9. Even though a 100 per cent variance is requested, there will still be an average of nineteen feet between the two buildings, with a minimum clear distance of fifteen feet.

10. The R-5-B District allows a maximum FAR of 1.8, With a lot area of 4,000 square feet, the maximum gross floor area permitted would be approximately 7,200 square feet. As proposed by the applicant, the gross floor area for the three floors of the flat and the upper story of the carriage house would be approximately 3981 square feet.

11. According to Article 72 of the Zoning Regulations, two parking spaces would be required, based on a minimum of one space for every two dwelling units. There are now four parking spaces on the lower level of the carriage house, which will remain.

12. The proposed conversion will not alter the existing configuration of the lot nor its yards.

13. The applicant has stated that the principal building contained six apartment units until recently. There is evidence that the accessory building was habitable at some time prior to May 12, 1958.

14. The Municipal Planning Office, by report dated May 11, 1978, recommended approval of the application on the grounds that the conversions of the accessory structure would not result in any overcrowding of this property. The three proposed units appear to represent a significant decrease over the intensity of use the property had supported in the past. The Board so finds.

15. Advisory Neighborhood Commission 2B, by resolution of May 10, 1978, voted unanimously to support the application on the grounds that the renovation of the building is an asset to the neighborhood and it provides additional residential space. The Board so finds.

16. The Dupont Circle Citizens Association recommended that the variance be granted for this particular property because of the existence of the side yard which grants access from 19th Street, because of the decreased density and because the proposed use is in conformity with the R-5-B District.

17. There was no opposition to the application at the public hearing.

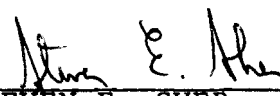
CONCLUSIONS OF LAW:

The applicant requests an area variance the granting of which requires a showing of a practical difficulty arising from the property itself. Based on the record the Board concludes that the existence of the carriage house prior to the effective date of the Zoning Regulations and the fact that it is located in the rear lot line so that a rear yard cannot reasonably be provided creates such a practical difficulty. The Board further concludes that the relief sought can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the Application is GRANTED.

VOTE: 3-2 (Charles R. Norris, John G. Parsons and Chloethiel Woodard Smith to GRANT, William F. McIntosh and Leonard L. McCants to DENY).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: \_\_\_\_\_

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 16 JUN 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.